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*Attorneys for USAA General Indemnity Company*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

MICHAEL HENRY,  
Plaintiff,  
  
vs.  
  
USAA GENERAL INDEMNITY  
COMPANY, an individual; DOES I  
through X, inclusive; and ROE  
CORPORATIONS I THROUGH X,  
inclusive,  
Defendant.

Civil Action No. 2:22-cv-00587-JCM-EJY

**STIPULATION AND ORDER TO  
DISMISS PLAINTIFF'S SECOND,  
THIRD AND FOURTH CAUSES OF  
ACTION AND REQUEST FOR  
EXEMPLARY DAMAGES AND  
ATTORNEY'S FEES  
WITHOUT PREJUDICE**

Defendant USAA General Indemnity Company (“USAA GIC”) and Plaintiff Michael Henry (“Henry” and collectively with USAA GIC referred to as the “Parties”) stipulate and agree to as follows:

USAA GIC filed a Motion to Dismiss Plaintiff’s Second, Third and Fourth Causes of Action and Request for Exemplary Damages and Attorneys Fees on April 13, 2022 (the “Motion”) (ECF No. 5). After USAA GIC filed the Motion, Henry agreed to dismiss his second, third, and fourth cause of action and his request for exemplary damages and attorney’s fees *without prejudice*. As such, the Parties agree Henry’s only remaining cause of action is his first cause of action, for breach of contract. The Parties further agree that USAA GIC shall answer Henry’s remaining cause of action by May 26, 2022.

Dated this 16<sup>th</sup> day of May, 2022.

**LADAH LAW FIRM**

**SPENCER FANE LLP**

By: /s/ Carl Houston  
 Carl R. Houston, Esq.  
 Nevada Bar No. 11161  
*Attorney for Plaintiff*

By: /s/ Mary Bacon  
 Mary E. Bacon, Esq.  
 NV Bar No. 12686  
*Attorneys for USAA Casualty Insurance Company*

**ORDER**

IT IS SO ORDERED.

  
 UNITED STATES DISTRICT JUDGE

**Date:** May 18, 2022